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July 8, 2010

VIA FEDERAL EXPRESS

The Honorable Joel H. Slomsky
United States District Court
Eastern District of Pennsylvania
James A. Byrne Federal Courthouse
601 Market Street, Room 5614
Philadelphia, Pennsylvania 19106

Re: Templin, et al. v. Independence Blue Cross, et al.
Civil Action No. 09-4092 (JHS) (E.D. Pa.)

Dear Judge Slomsky:

We represent plaintiffs in this matter, Christopher Templin, Viola Hendricks, Feldman's Medical Center Pharmacy, Inc. ("Feldman's"), and FCS Pharmacy LLC (collectively, "Plaintiffs"). I write to bring to the Court's attention a decision rendered in the matter captioned Feldman's Medical Center Pharmacy, Inc. v. CareFirst, Inc., Civil Action No. 1:10-cv-00254-WDQ (the "Maryland Action") pending in the United States District Court for the District of Maryland. A copy is enclosed as Exhibit A.

As the Court is aware, Defendants here have taken the position that the complaint should be dismissed because Plaintiffs, *inter alia*, have failed to exhaust "administrative remedies" within Defendants' process (even though Plaintiffs' claims have never received the denial notifications that would supposedly make those remedies available). However, in the Maryland Action, CareFirst made no such motion to dismiss; neither did it make any such legal or factual argument, either in its Opposition to the Motion to Remand pursuant to 28 U.S.C. § 1447 (enclosed hereto as Exhibit B), or in the answer it filed with the Circuit Court for Baltimore County,

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Maryland (enclosed hereto as Exhibit C). Like with the claims at issue here, Defendant in the Maryland Action never issued denial notifications of the claims sued upon.

We thank the Court for its courtesies.

Respectfully,

A handwritten signature in blue ink, appearing to read 'APaduano', with a stylized flourish extending to the right.

Anthony Paduano

cc: Katherine M. Katchen, Esq. (by Federal Express)
Mark J. Oberstaedt, Esq. (by Federal Express)
Timothy S. Cole, Esq. (by Federal Express)